IN THE HIGH COURT OF BOMBAY AT PANAJI

CRIMINAL MISC. APPLICATION (MAIN) NO. 157 OF 2007

Mr. Michael Hayes
Major, r/o Joalda Appartments,
Naikavado, Calangute,
Bardez-Goa. .... Petitioner

V/s

1. The P.I.
Calangute Police Station,
Calangute, bardez, Goa.

2. The State of Goa
Through its Chief Secretary,
Secretariat, Panaji-Goa. .... Respondents

Mr. Nigel Da Costa Frias, Advocate for the Appellant.

Ms. W. Coutinho, Public Prosecutor for the Respondents.

CORAM : N.A. BRITTO, J.

DATE : 26th JULY, 2007

ORAL ORDER :

Heard Shri Costa Frias on behalf of the Petitioner and Ms. W. Coutinho, the learned Public Prosecutor on behalf of the Respondents.

2. By this petition, the Petitioner who is an accused in Crime No. 35 of 2006 of Calangute Police Station, under Section 379 r/w 34 IPC has sought quashing of FIR filed against him on 10/05/2006. The Investigating Officer

has filed the reply dated 24/07/2007 and in the said reply he has stated that the CPU was sent for the opinion to the Assistant Government Examiner, Computer Forensic Division, Directorate of Forensic Sciences at Hyderabad and the report is awaited. On behalf of the Petitioner it is submitted that in almost a year, the Investigating Officer has not taken steps to obtain the said opinion of the Assistant Government Examiner. It is hoped that the Investigating Officer with right earnestness will pursue the matter with the Assistant Government Examiner and obtain the opinion sought for at an early date.

3. With the above observations, the petition is dismissed as premature.

N.A. BRITTO, J.

NH